

CONSTRUCTION  
INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE STATE OF ARIZONA  
AND  
THE CITY OF FLAGSTAFF

THIS AGREEMENT, entered into pursuant to Arizona Revised Statutes, Section 11-951 through 11-954, by and between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE", and the CITY OF FLAGSTAFF, hereinafter called "CITY",

WHEREAS, the STATE is empowered by Arizona Revised Statutes Section 28-108 to enter into this AGREEMENT, and

WHEREAS, the CITY is empowered by Arizona Revised Statutes Section 9-672 to enter into this AGREEMENT, and acting by and through its duly elected governing body, has by that certain resolution attached hereto and incorporated herein as Exhibit "A" resolved to enter into this AGREEMENT and has authorized the undersigned as its representative to execute the same on behalf of said CITY, and

WHEREAS, for the safety and protection of the traveling public, it is necessary and desirable that certain improvements and/or modifications be made on the State Highway System in the CITY. This work shall include, but not be limited to, the installation of new traffic signals at the following location:

US 66 and Fanning Drive

NO.....	7.1.6.3
FILED WITH SECRETARY OF STATE	
Date Filed.....	6-11-81
<i>[Signature]</i>	
Secretary of State	

NOW, THEREFORE, in consideration of the mutual covenants hereinafter to be kept by all parties, it is mutually agreed as follows:

1. The STATE shall advertise for bids and award a contract for the installation of the traffic signals on US 66 at Fanning Drive.

2. The CITY, upon completion of the work, shall reimburse the STATE for thirty-four per cent (34%) of the preliminary engineering, construction, and field engineering costs, not to exceed \$23,500 for its share of the cost of this work.

3. This AGREEMENT shall be considered as terminated when all conditions as set forth herein have been complied with and the traffic signals are complete, in place, and functional.

4. All parties are hereby put on notice that this AGREEMENT is subject to cancellation by the Governor pursuant to Arizona Revised Statutes Section 38-511.

5. This AGREEMENT shall be filed with the Secretary of State and shall become effective upon such filing.

6. Attached to this AGREEMENT and incorporated herein by reference is Exhibit "B" which is a copy of the written determination of the appropriate attorney that the CITY is authorized under the laws of this State to enter into this AGREEMENT and that it is in proper form.

STATE OF ARIZONA  
ARIZONA DEPARTMENT OF TRANSPORTATION

By: *JB Mery*  
Chief Deputy State Engineer

Date: May 28, 1981

CITY OF FLAGSTAFF

By: *Paul R. Butcher*

Title: Mayor

Date: May 8, 1981

ATTEST:

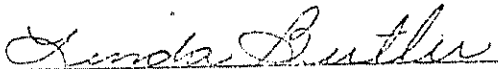
*Lancia Lintler*

EXHIBIT "A"

CERTIFICATION

I, LINDA BUTLER, City Clerk of the City of Flagstaff, Arizona, do hereby certify that the attached is a full, true and correct copy of an extract of the Minutes of the Flagstaff City Council Meeting, held April 7, 1981.

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the official Seal of the City of Flagstaff, this 19th day of May, 1981.

  
CITY CLERK

(SEAL)

# CITY OF FLAGSTAFF, ARIZONA

MINUTES 4/7/81

Page 17

## Consideration of a Letter of Agreement Between the Flagstaff Tower and the City of Flagstaff:

Recommended Action: Approve the Letter of Agreement and authorize the Mayor to execute on behalf of the City.

A motion was made by Councilman Robinson and seconded by Councilman Lyon to approve the letter of agreement and authorize the Mayor to execute on behalf of the City. The motion unanimously carried.

## Consideration of an Intergovernmental Agreement Between the City of Flagstaff and Arizona Department of Transportation for the Construction of the Traffic Signal at Tanning Drive and U.S. 66, and a Letter Addendum Concerning the Maintenance of the New Signal:

Recommended Action: Approve the agreement and the addendum and authorize the Mayor to execute on behalf of the City and direct the staff to include the funds in the 1981-82 budget.

Councilman Robinson moved to approve the agreement and addendum and authorize the Mayor to execute on behalf of the City, and direct the staff to include the funds in the 1981-82 budget. The motion was seconded by Councilman Hannah.

Mayor Babbitt pointed out that the installation schedule indicates that the signal will be constructed in the Spring of 1982.

The motion unanimously carried.

## BOARDS AND COMMISSIONS:

### Consideration of Two Vacancies on the Mayor's Committee on Employment of the Handicapped and Parks and Recreation Commission and One Vacancy on the Board of Adjustment and Airport Commission:

Recommended Action: The Council to discuss the nominations in the Executive Session and make the appointments at the regular meeting of April 7th.

Councilman Lyon moved to appoint Francisco Alcocer and John Carrillo to the Mayor's Committee on Employment of the Handicapped. Councilman Robinson seconded the motion. The motion unanimously carried.

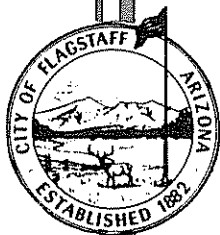
Councilman Lee moved to conform the appointment of Joe Weidman to the Board of Adjustment. The motion was seconded by Councilman Wood, which unanimously carried.

Councilman Robinson moved to appoint Charles England to the Airport Commission. Councilman Lyon seconded the motion. The motion unanimously carried.

### Consideration of a Parking Prohibition on Butler Avenue:

Recommended Action: Accept the recommendation of the Traffic Commission and prohibit parking on both sides of Butler Avenue between Black Bart's R.V. Campground and Elden Street.

EXHIBIT "B"

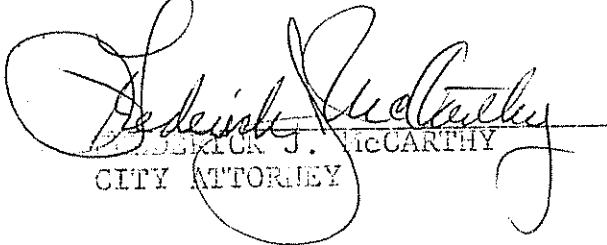


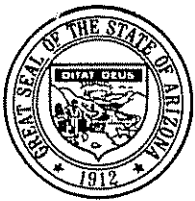
# City of Flagstaff

P.O. Box 1208  
Flagstaff, Arizona 86002  
602-774-5281

March 25, 1931

I have reviewed the proposed Intergovernmental Agreement between the Department of Transportation at the State of Arizona and the City of Flagstaff in regard to the installation and maintenance of a traffic signal and lighting at the intersection of US 66 and Fanning Drive, and it is my determination that the Agreement is in proper form and within the process and authority of the City under its Charter and the statutes of the State of Arizona.

  
FREDERICK J. MCCARTHY  
CITY ATTORNEY



# ARIZONA DEPARTMENT OF TRANSPORTATION

## HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

June 22, 1981

BRUCE BABBITT  
Governor

WILLIAM A. ORDWAY  
Director

THOMAS R. LAMMERS  
Assistant Director  
and State Engineer

The Honorable Paul J. Babbitt, Jr.  
Mayor  
City of Flagstaff  
15 North Beaver  
Flagstaff, Arizona 86002

Re: Intergovernmental Agreement and Letter Addendum  
Construction/Signalization and Maintenance  
A. G. Contract No. 81-320 and No. 79-479  
City of Flagstaff/State of Arizona  
U.S. 66 and Fanning Drive

Dear Mayor Babbitt:

Transmitted herewith is a copy of the fully executed Inter-governmental Agreement referenced above.

You will note the effective date of filing with the Secretary of State is June 11, 1981.

Very truly yours,

CARLIE BOWMER  
Assistant State Engineer  
Traffic Engineering Section

CB:mm

Attachment

cc: J. B. Mertz  
E. F. Gentsch  
✓ D. R. Olivarez  
Ben Patterson  
Sally Al-Hashimi (original)





OFFICE OF THE  
**Attorney General**

1801 WEST JEFFERSON STREET  
FOURTH FLOOR  
PHOENIX, ARIZONA 85007

ROBERT K. CORBIN  
ATTORNEY GENERAL

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. 81-320, which is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in proper form and is within the powers and authority granted to the State or its agencies under the laws of the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 3d day of JUNE, 1981.

ROBERT K. CORBIN  
Attorney General

*James A. Hadenbauer*  
Assistant Attorney General  
Transportation Division